

**CITY OF TOLEDO
DEPARTMENT OF HUMAN RESOURCES**

MEMORANDUM

September 7, 2018

To: The Honorable Council President Matt Cherry and Members of Toledo City Council

Thru: Mayor Wade Kapszukiewicz *WK*
Catherine Crosby, Chief of Staff *CC*
Karen Poore, Deputy Chief of Staff/Director of Public Safety *Kp*

From: Michael Niedzielski, Director of Human Resources *myn 9/7/18*
Anthony Markwood, Chief of Bargaining and Representation *Am 9/7/18*

Re: **Tentative Agreement with Toledo Police Command Officers' Association**

On August 31, 2018, the City of Toledo and the Toledo Police Command Officers' Association ("TPCOA") reached a tentative agreement on the terms of a successor collective bargaining agreement.

As background, the TPCOA is one of the City's conciliation bargaining units, consisting of approximately 131 employees who work as Police Sergeants, Lieutenants, and Captains. Its current collective bargaining agreement with the City expired on December 31, 2017. Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times during the last several months to negotiate the terms of a successor agreement.

The tentative agreement reached increases the timeframe the City has to fill vacancies from sixty (60) to ninety (90) days. The agreement also provides revisions to the drug and alcohol testing policy to include testing criteria for alcohol and random drug and alcohol testing. Further, the agreement significantly reduces the amount of union release time and reduces the number of members permitted to negotiate a successor collective bargaining agreement. In addition, consistent with some other bargaining units, the agreement establishes a five (5) year timeframe from which the City can recoup educational expenses for those employees who take advantage of that benefit, only to leave the City upon completion of their studies.

Regarding the economic terms, the agreement eliminates the wage spread for Command Officers which has existed for approximately 26 years. Previously, the spread between a Patrol Officer and a Sergeant was 25%, the spread between a Sergeant and Lieutenant was 15%, and the spread between a Lieutenant and a Captain was 13%. Further, instead of paying the full, appropriate Sergeant wage, the agreement establishes a 6-month probationary wage rate for Sergeants. The agreement provides for a 1.5% base pay increase in January 2018, another 2.5% increase in January 2019, and a 3% increase in January 2020. There is also an increase in the shift premium for Command Officers assigned to 2nd and 3rd shift, from \$0.50 per hour to \$0.75 per hour, to make these shifts a more desirable assignment. To recognize the importance of physical fitness, the agreement provides a \$275 stipend for the maintenance of physical fitness.

Also, the agreement provides on-call pay to Command Officers designated as on-call, to reflect parity with the police officers they supervise.

In order to maintain parity with the Toledo Police Patrolman's Association Career Enhancement Program, the agreement adds a category for Command Officers in the Investigative Service Bureau ("ISB") and increases the amount for ISB Senior Command Officers with 15 years of experience. The agreement also provides an additional discretionary vacation day. To encourage retention and recognize Command Officers with at least 10 years of service with the Toledo Police Department, the agreement provides an annual 3% lump sum Senior Command stipend. Lastly, to help curb health care costs, the agreement provides for an increase in the emergency room co-pay from \$65 to \$200. To reflect parity with some of the other bargaining units, this agreement increases the maximum payment for major and minor dental services from \$1,000 to \$1,300. The remaining terms of the health care provision remain the same, with the parties agreeing to continue to negotiate that issue together with the other affected bargaining units as part of a multi-unit bargaining.

The aforementioned economic terms are consistent with other settled agreements and fact-finding awards around the State of Ohio. Furthermore, this agreement makes the City of Toledo competitive in the recruitment of police officers and the retention of command officers. On September 5, 2018, the Union ratified the tentative agreement. The Administration likewise recommends that City Council adopt and approve this tentative agreement.

Please advise if you have any questions or concerns.